

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Stephen Robert Manley

Serial No.: 10/018,076

Filed: June 16, 2004

For: HARD TURNING

Filed via EFS

Group Art Unit: 3722

Examiner: Willmon Friddle Jr.

In reply to: Office Action dated July 10, 2008

Mail Stop Amendment
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Sir:

This is in response to the Office action of July 10, 2008.

The Examiner has required a restriction to one of the following inventions under 35 USC §121.

I. Claims 26, 27, 29-36, 38-40, 42-46 and 49 drawn to a process and apparatus for turning.

II. Claims 41 and 50, drawn to a programmed computer and computer program.

Applicant elects the claims of Group I, namely claims 26, 27, 29-36, 38-40, 42-46 and 49 for prosecution in this case. THIS ELECTION IS MADE WITH TRAVERSE.

The Examiner states that restriction is proper in this case because the computer or computer program of the claims of Group II can be used with various types of tools, machines,

assembly lines etc. The position taken by the Examiner is incorrect. The computer program cannot be used with various types of tools, machines and assembly lines because claims 41 and 50 contain limitations which restrict the claims to the process and apparatus which are recited in the claims of Group I.

Further, although the inventions have acquired a separate status in the art in view of different classifications, the Examiner has already provided an examination of the claims thus indicating that the fields of search required for the claims of Groups I and II have already been searched.

Further it is believed that the resources of the Patent Office would be most efficiently utilized by continuing the examination which has already been performed of all of the claims in this application.

It is believed that no additional fees are necessitated by the entry of this Amendment. However, if any additional fees are necessitated by the entry of this amendment, authorization is hereby given to charge such fees to applicant's Deposit Account No 50-0852.

Respectfully submitted,

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Date: August 4, 2008